

ERIC M. MCMILLIAN, and
LINDA C. LIVERMAN,

Plaintiffs,

v.


YORK INSURANCE CO.,

Defendant.

On September 29, 2010, Magistrate Webb issued a Memorandum and Recommendation (“M&R”). In that M&R, Judge Webb recommended that plaintiffs’ application to proceed in forma pauperis be granted and that complaint be dismissed as frivolous. No party filed objections to the M&R.

The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. Plaintiffs' application to proceed in forma pauperis is GRANTED, and plaintiffs' complaint is DISMISSED as frivolous. The Clerk is directed to close the case.

SO ORDERED. This 2 day of November 2010.



JAMES C. DEVER III
United States District Judge